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2012-203-E
245053

K. Chad Burgess
Associate General Counsel

chad.burgess@scana.com

July 3, 2013

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29201

RECEIVED

JUL 05 2013

PSC SC
MAIL / DMS

Re: South Carolina Energy Users Committee v. The SC Public Service
Commission
Appellate Case No. 2013-000529

Dear Mr. Shearouse:

Enclosed please find for filing the original and six (6) copies of South Carolina Electric & Gas Company's Motion to Amend Title of the Case in the above-referenced appeal. Additionally, you will find enclosed a check in the amount of \$25.00 as payment of the filing fee for this motion.

By copy of this letter, we are serving a copy of this motion upon the parties of record and attach a certificate of service to that effect.

I would appreciate your acknowledging receipt of this motion by date-stamping the extra copy enclosed and returning the same to me via our courier.

If you have any questions, please advise.

Very truly yours,

K. Chad Burgess

KCB/kms
Enclosures

The Honorable Daniel E. Shearouse

July 3, 2013

Page 2

cc: Jocelyn G. Boyd, Esquire
Jeffrey M. Nelson, Esquire
Florence P. Belser, Esquire
Courtney D. Edwards, Esquire
Shannon Bowyer Hudson, Esquire
Scott Elliott, Esquire
Robert Guild, Esquire
Pamela Greenlaw
(all via U.S. First Class Mail w/ enclosures)

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

Docket No. 2012-203-E
Appellate Case No. 2013-000529

South Carolina Energy Users
Committee,.....Appellant/Respondent,

v.

The South Carolina Public Service Commission, South Carolina
Electric and Gas, Office of Regulatory Staff, Sierra Club and
Pamela Greenlaw, Defendants

of whom Sierra Club, is.....Respondent/Appellant.

MOTION OF
SOUTH CAROLINA ELECTRIC & GAS COMPANY
TO AMEND TITLE OF THE CASE

South Carolina Electric & Gas Company ("SCE&G"), pursuant to Rules
202 and 240, SCACR, hereby moves the Supreme Court of South Carolina for
an order amending the title of the case in the above-referenced appeal.

On March 14, 2013, the South Carolina Energy Users Committee
("SCEUC") filed a Notice of Appeal appealing the decisions of the Public
Service Commission of South Carolina ("Commission") issued in Docket No.
2012-203-E. On March 18, 2013, the Sierra Club also filed a Notice of Appeal

appealing the Commission's decisions. As a result of these multiple Notices of Appeal, the Supreme Court of South Carolina by letter dated March 19, 2013, consolidated the appeals and amended the title of the case as follows:

South Carolina Energy Users Committee, Appellant/Respondent,

v.

The South Carolina Public Service Commission, South Carolina Electric and Gas, Office of Regulatory Staff, Sierra Club and Pamela Greenlaw, Defendants,

of whom Sierra Club, is Respondent/Appellant.

Upon review of the title of the case, it appears that SCEUC and the Sierra Club should be identified as appellants only and not as respondents and that SCE&G and ORS should be identified as respondents. The SCEUC and the Sierra Club should not be viewed as respondents in the other's appeal because the SCEUC and the Sierra Club are on the same side. While this case was pending before the Commission, both the SCEUC and the Sierra Club advocated against the relief requested by SCE&G. Moreover, SCE&G is unaware of any ruling of the Commission that is being challenged in this proceeding by SCEUC where the Sierra Club intends to argue in favor of the Commission's ruling and in opposition to the position of SCEUC. Although their issues on appeal may differ, the SCEUC and the Sierra Club are united in their opposition to the Commission orders on appeal. Styling them as both appellants and respondents would appear to give them the right to file two briefs — one as the appellant and one as the respondent. This

would not only increase the Court's burden but would allow each of these parties to advocate their positions twice, to the prejudice of SCE&G and South Carolina Office of Regulatory Staff which are supporting the Commission's orders.

For these reasons and pursuant to Rule 202, SCACR, SCE&G suggests that an appropriate caption would style both the SCEUC and the Sierra Club as appellants only, and SCE&G and the South Carolina Office of Regulatory Staff as respondents. Accordingly, SCE&G respectfully requests that the title of the case be amended as follows:

South Carolina Energy Users Committee and Sierra Club, Appellants,

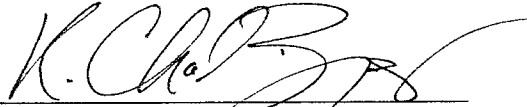
v.

The South Carolina Public Service Commission, South Carolina Electric & Gas Company, Office of Regulatory Staff, and Pamela Greenlaw, Defendants,

of whom South Carolina Electric & Gas Company and Office of Regulatory Staff, are Respondents.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Chad Burgess', written over a horizontal line.

K. Chad Burgess, Esquire
Matthew W. Gissendanner, Esquire
South Carolina Electric & Gas Company
Mail Code C222
220 Operation Way
Cayce, SC 29033-3701
Telephone: 803-217-8141
chad.burgess@scana.com
matthew.gissendanner@scana.com

Belton T. Zeigler, Esquire
Pope Zeigler, LLC
1411 Gervais Street
Columbia, SC 29201
Telephone: 803-354-4949
bzeigler@popezeigler.com

Attorneys for Defendant/Respondent
South Carolina Electric & Gas Company

Cayce, South Carolina
July 3, 2013

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Electric and Gas, Office of Regulatory Staff, Sierra Club and
Pamela Greenlaw, Defendants

of whom Sierra Club, is.....Respondent/Appellant.

CERTIFICATE OF SERVICE

This is the certify that I have caused to be served this day a copy of
South Carolina Electric & Gas Company's **Motion to Amend Title of the**
Case to the persons named below via U.S. First-Class Mail at the addresses
set forth:

Jocelyn G. Boyd, Esquire
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

Shannon Bowyer Hudson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

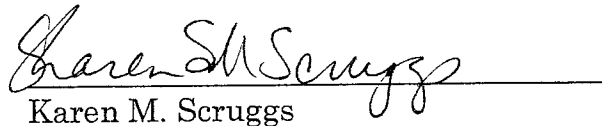
Florence P. Belser, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

Courtney Dare Edwards, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

Pamela Greenlaw
1001 Wotan Road
Columbia, SC, 29229

Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201

Robert Guild, Esquire
314 Pall Mall
Columbia, SC 29201


Karen M. Scruggs

Cayce, South Carolina
This 3rd day of July 2013